UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
PESIN, BORIS M

ART UNIT	PAPER NUMBER
2174	

NOTIFICATION DATE	DELIVERY MODE
09/24/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 July 2007*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

This communication is responsive to the amendment filed 7/10/2006.

Claims 1-30 are pending in this application. Claims 1, 13, 16, and 21 are

independent claims. In the amendment filed 7/10/2006, Claims 1, 13, 16, and 21 were

amended. This action is made Final.

Claim Objections

Claim 16 is objected to because of the following informalities:

It appears that the Applicant left out "or" in the amendment on line 5. As it stands

now, claim 16 reads, "the one more messages."

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 10-13, 15, 21, 23-27, and 30 are rejected under 35 U.S.C. 102(e) as

being anticipated by Fein et al. U.S. Patent Number 6,565,608 (hereinafter Fein).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As per claim 1, Fein discloses of a "computer-implemented interactive user messaging system comprising a receiver component that receives message components corresponding to events, each message component including s plurality of messages relating to at least part of a particular event" by having a unique identifier correlated to an event within the software (Fein column 3 lines 58-63 and figures 2 and 3); "an assist component that provides one or more menu items corresponding to the respective messages of the message components in connection with addressing the events" by supplying multiple modal objects for access to multiple sources of information (Fein column 10 lines 2-8)

As per claim 2, the rejection of claim 1 is incorporated and Fein further discloses "a context component that describes errors related to a user command" by supplying information related to an error condition (Fein column 5 lines 42-45).

As per claim 3, the rejection of claim 2 is incorporated and Fein further discloses "a rationale component that provides a reason for the error" by providing information on a specific condition that caused the generation of the message (Fein column 5 lines 30-33).

As per claim 4, the rejection of claim 1 is incorporated and Fein further discloses "an advanced help component for providing technical information about events" by providing information on conditions that arise from execution of a program (Fein column 6 lines 1-3).

As per claim 5, the rejection of claim 4 is incorporated and Fein further discloses "the technical information is a stack trace" by tracking the number of errors generated by a condition (Fein column 3 lines 51-54).

As per claim 10, the rejection of claim 1 is incorporated and Fein further discloses "a command component that receives a command instruction from a user" by having an advisory signal trigger once a user has selected a control object (Fein column 16 lines 23-41).

As per claim 11, the rejection of claim 10 is incorporated and Fein further discloses "command informs a client that a user desires to issue a particular command"

by having an advisory signal transmit information of a user selecting a control object to an administrator (Fein column 16 lines 23-41).

As per claim 12, the rejection of claim 1 is incorporated and Fein further discloses "a format component for receiving information regarding graphical objects and associated functionality that are to be available to a user" by providing a graphic that can be adapted to be consistent with the content of the information (Fein column 9 lines 17-23).

As per claim 13, claim 13 contains similar limitations as claim 1 and is rejected under the same rationale as set forth in connection with claim 1.

As per claim 15, the rejection of claim 13 is incorporated and Fein further · discloses "help links are links to web pages containing specific information related to the message" by linking to a web page for information (Fein column 3 lines 36-39).

As per claim 21, claim 21 contains the same limitations as claims 1 and 13 and is rejected under the same rationale as set forth in connection with claims 1 and 13. In addition, Fein discloses "receiving a menu item selection" by providing an option for a user to select data from a generated group (Fein column 9 lines 50-56).

As per claim 23, claim 23 contains the same limitations as claim 15 and is rejected under the same rationale as set forth in connection with claim 15.

As per claim 24, the rejection of claim 21 is incorporated and Fein further discloses "providing help includes retrieving information from a database" by extracting information from a database (Fein column 16 lines 55-57).

As per claim 25, the rejection of claim 21 is incorporated and Fein further discloses "providing a pointer to a corrective mechanism" by directing a user to an information source containing a solution (Fein column 16 lines 3-8).

As per claim 26, the rejection of claim 21 is incorporated and Fein further discloses "providing help includes correcting an error" by sending a response that can include a solution to an error condition detected (Fein column 16 lines 6-8).

As per claim 27, the rejection of claim 21 is incorporated and claim 27 contains the same limitations as claim 5 and is rejected under the same rationale as set forth in connection with claim 5.

As per claim 30, the rejection of claim 21 is incorporated and Fein further discloses "A computer readable medium having stored thereon computer executable

instructions for carrying out the method" by having a computer readable medium to

execute instructions (Fein column 7 lines 8-34).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 6-8,14, 28, and 29 are rejected under 35 U.S.C. 103(a) as being obvious

over Fein et al U.S. Patent Number 6,565,608 (hereinafter Fein) in view of Pittore U.S.

Patent Number 6,414,699 (hereinafter Pittore).

As per claim 6, the rejection of claim 1 is incorporated but Fein does not disclose

"a message distribution component for capturing message text". However, Pittore

teaches "a message distribution component for capturing message text" by having an

operator actuate a copy button that enables the copying of message text (Pittore

column 4 lines 57-61).

Therefore it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the message text-capturing component of Pittore

with the message system of Fein. One of ordinary skill in the art would have been

motivated to do so because having a text-capturing component would allow for the ease of saving text (Pittore column 4 lines 65-67).

As per claim 7, the rejection of claim 6 is incorporated but Fein does not disclose "message text is copied to a clipboard for further use by other applications". However, Pittore teaches "message text is copied to a clipboard for further use by other applications" by copying message text to a clipboard (Pittore column 4 lines 61-65).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the clipboard copying of Pittore with the message system of Fein. One of ordinary skill in the art would have been motivated to do so because having clipboard copying would allow for the ease of reuse of text (Pittore column 5 line 1).

As per claim 8, the rejection of claim 6 is incorporated but Fein does not disclose "message text is copied to the body of a new email message". However, Pittore teaches "message text is copied to the body of a new email message" by taking message text and copying to a clipboard then enabling the copied information to be accessible to other applications (Pittore column 2 lines 2-6).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the message use on other applications of Pittore with the message system of Fein. One with ordinary skill in the art would have been motivated to do so because it would allow for retention of data.

As per claim 14, the rejection of claim 13 is incorporated and claim 14 contains the same limitations as claim 7 and is rejected under the same rationale as set forth in connection with claim 7.

As per claim 28, the rejection of claim 21 is incorporated and claim 28 contains the same limitations as claim 6 and is rejected under the same rationale as set forth in connection with claim 6.

As per claim 29, the rejection of claim 28 is incorporated and claim 29 contains the same limitations as claim 8 and is rejected under the same rationale as set forth in connection with claim 8.

Claim 9 is rejected under 35 U.S.C. 103(a) as being obvious over Fein et al U.S. Patent Number 6,565,608 (hereinafter Fein) in view of Boulton et al. U.S. Patent Number 5,566,291 (hereinafter Boulton).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an

invention "by another"; (2) a showing of a date of invention for the claimed subject

matter of the application which corresponds to subject matter disclosed but not claimed

in the reference, prior to the effective U.S. filing date of the reference under 37 CFR

1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and

reference are currently owned by the same party and that the inventor named in the

application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer

in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing

that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under

35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

As per claim 9, the rejection of claim 1 is incorporated but Fein does not disclose

"a feedback component that provides a message corresponding to an event to a

developer or company database". However, Boulton teaches of "a feedback component

that provides a message corresponding to an event to a developer or company

database" by providing a feedback component to the user for developers (Boulton

column 11 lines 25-30).

Therefore it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the feedback component of Boulton with the

message system of Fein. One of ordinary skill in the art would have been motivated to

do so because having a feedback component would allow for invaluable discovering of

problems in a tested product, process or service (Boulton column 11 lines 31-34).

Claims 16 and 18-20 are rejected under 35 U.S.C. 103(a) as being obvious over

Fein et al U.S. Patent Number 6,565,608 (hereinafter Fein) in view of Gallagher et al.

U.S. Patent Number 6,314,449 (hereinafter Gallagher).

As per claim 16, Fein discloses of a "computer-implemented method for providing

users with help associated with computer system events comprising receiving a

message component relating to a system event" by having a unique identifier correlated

to an event within the software (Fein column 3 lines 58-63) but does not disclose

"generating a list of one or more messages retrieved from the message component, the

one or more messages relate to different aspects of the system event" or "generating

menu items associated with each message in the list of messages". However,

Gallagher teaches of "generating a list of one or more messages retrieved from the

message component the one or more messages related to different aspects of the

system event" by having an interface construct a list of messages (Gallagher column 3

lines 1-3) and "generating menu items associated with each message in the list of

messages" by including an identifier that directs to a web page for help and a number

for the message (Gallagher column 3 lines 3-10).

Therefore it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the list generation and menu item association of

Gallagher with the message system of Fein. One of ordinary skill in the art would have

been motivated to do so because having a list of messages and menu item association

would greatly aid in finding specific messages and view a detailed explanation of a

message to further understand the message (Gallagher column 1 lines 35-40).

As per claim 18, the rejection of claim 16 is incorporated and claim 18 contains

the same limitations as claim 15 and is rejected under the same rationale as set forth in

connection with claim 15.

As per claim 19, the rejection of claim 16 is incorporated and Fein further

discloses "menu items generate a query for a database" by examining a database for a

value corresponding to a unique identifier related to the message (Fein column 4 lines

13-16).

As per claim 20, the rejection of claim 16 is incorporated and Fein further

discloses "A computer readable medium having stored thereon computer executable

instructions for carrying out the method" by having a computer readable medium to

execute instructions (Fein column 7 lines 8-34).

Claim 17 is rejected under 35 U.S.C. 103(a) as being obvious over Fein et al

U.S. Patent Number 6,565,608 (hereinafter Fein) in view of Gallagher et al. U.S. Patent

Number 6,314,449 (hereinafter Gallagher), further in view of Smith et al. U.S. Patent

Number 5,678,013 (hereinafter Smith).

As per claim 17, the rejection of claim 16 is incorporated but the modified Fein does not disclose "the list of messages is a hierarchical linked list". However, Smith teaches "the list of messages is a hierarchical linked list" by setting up a hierarchy of objects that arranged by classification (Smith column 22 lines 29-34).

. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the hierarchical list of Smith with the message system of the modified Fein. One of ordinary skill in the art would have been motivated to do so because having a hierarchical list would allow for classification of data (Smith column 22 lines 37-40).

Claim 22 is rejected under 35 U.S.C. 103(a) as being obvious over Fein et al U.S. Patent Number 6,565,608 (hereinafter Fein) in view of Smith et al. U.S. Patent Number 5,678,013 (hereinafter Smith).

As per claim 22, the rejection of claim 21 is incorporated but Fein does not disclose "messages are displayed hierarchically from the least specific to the most detailed". However, Smith teaches "messages are displayed hierarchically from the least specific to the most detailed" by setting up a hierarchy of objects that arranged in a most-general to most-specific order (Smith column 22 lines 29-34).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the most-general to most-specific hierarchical list of

Smith with the message system of Fein. One of ordinary skill in the art would have been motivated to do so because having a most-general to most specific hierarchical list assists the navigation of messages (Smith column 22 lines 26-29).

Response to Arguments

Applicant's arguments filed 7/10/2007 have been fully considered but they are not persuasive.

The Applicant argues that Fein does not teach, "each message component includes a plurality of messages relating to at least part of a particular event and one or more menu items corresponding to the respective messages of the message components." The Examiner respectfully disagrees. Since the Applicant does not clearly define what a "message" is, any message would suffice to meet the limitation. As one can see in Fein's figure 3, there are a plurality of messages that are related to the event (i.e. print event). Those messages being, "Windows cannot print due..., " "Check the printer by printing...," "Make sure the printer..., " and "Reinstall the printer driver." Each one of those can be considered a separate message. Furthermore, Fein teaches one or more menu items corresponding to the respective messages In Figure 3 Elements 320 and 220. Since those menu items (i.e. buttons) are on the same error screen they are corresponding to the messages above. The Applicant has not made it clear in the claim language nor the specification what the exact scope of the

"corresponding" is. Therefore, since the user is able to close the messages by using

the buttons, those buttons are indeed corresponding to the messages.

In regards to the Applicant's arguments that Gallagher does not teach

"generating a list of one or more messages retrieved from the message component the

one more messages relate to different aspects of the system event," the Examiner

respectfully disagrees. Gallagher's figure 4 clearly illustrates a plurality of messages

wherein the different messages relate to different aspects of the system event. For

instance, there is a "returning," explanation," System Action" and " User Response." All

of those messages relate to the different aspect of the system event. Furthermore,

since the Applicant's claim states that there are "one or more" messages, only one

message is required to meet the claim limitations. Therefore, if there was only one

message used to meet the claim limitations, then there is no way that that message can

relate to different aspects of the system event, and the limitation would be met.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Boris Pesin whose telephone number is (571) 272-4070.

The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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